



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(MBHB Case No. 01-686)

Application of: Western, et al. )  
)  
Filed: November 20, 2001 )  
) Group Art Unit:  
) Not yet Assigned  
)  
Serial No.: 09/989,757 )  
) Examiner: Not yet Assigned  
)  
Title: Detection of Nucleic Acids by Target- )  
Catalyzed Produce Formation )  
)  
Attorney Docket No.: BEH-7270 Cont. )

Commissioner of Patents  
Washington, DC 20231

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**PRELIMINARY AMENDMENT**

Dear Sir:

Prior to the examination of the above-referenced application, please enter the following  
Amendment.

**AMENDMENT**

**IN THE CLAIMS:**

Please cancel claims 1-34.

Please add new claims 35-41.

A clean copy of all pending claims is attached as Appendix A.

35. A composition formed during the detection of a target polynucleotide analyte at a  
temperature wherein a first oligonucleotide substantially reversibly hybridizes to the  
polynucleotide analyte, the composition comprising a first oligonucleotide capable of reversibly

**CERTIFICATE OF MAILING**

I hereby certify that this document is being deposited with the United States Postal Service as First Class  
Mail, in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this 26<sup>th</sup> day of  
February, 2002.

*[Signature]*